

**75-3-307 Informal appointment proceedings -- Delay in order -- Duty of registrar -- Effect of appointment.**

- (1) After receipt of an application for informal appointment of a personal representative other than a special administrator as provided in Section 75-3-614, the registrar, after making the findings required by Section 75-3-308, shall appoint the applicant subject to qualification and acceptance, if at least 10 days have elapsed since the date of the notice required by Section 75-3-310, or if at least 120 hours have elapsed since the decedent's death and all persons entitled to notice under Section 75-3-310 have waived this notice in writing; but if the decedent was a nonresident, the registrar shall delay the order of appointment until 30 days have elapsed since death unless the personal representative appointed at the decedent's domicile is the applicant, or unless the decedent's will directs that his estate be subject to the laws of this state.
- (2) The status of personal representative and the powers and duties pertaining to the office are fully established by informal appointment. An appointment, and the office of personal representative created by it, is subject to termination as provided in Sections 75-3-608 through 75-3-612, but is not subject to retroactive vacation.

Amended by Chapter 194, 1977 General Session